

EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, July 27, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Burkett.	Page.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Carlock. Parr.
Dorough.

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

Excused.

On account of important business:
Senator Dorough for today.
Senator Parr for today.

See Appendix for Committee Reports and Petitions and Memorials.

**Resolution Adopted At Regular Meeting
Travis Post No. 76,
American Legion, Held
This Date.**

Austin, Texas, July 25, 1921.

Whereas, During this Special Session of the Texas Legislature, Senator Bledsoe introduced a resolution offering the use of the Senate Chamber to Travis Post No. 76, American Legion, for the purpose of conducting the funeral services of any returned ex-soldier whose body may reach Austin during this session of the Legislature, and

Whereas, The State Senate, in passing this resolution, not only ex-

tended to Travis Post No. 76, American Legion, a most sincere compliment but by its action expressed its approval of the work that the American Legion is doing for the Ex-Service men and showed that the members of the State Senate fully appreciate the supreme sacrifice made by our former buddies whose memory we honor. Therefore, be it

Resolved, That Travis Post No. 76 take this means of expressing its appreciation of the action taken by the State Senate, and, be it further

Resolved, That a copy of this resolution be spread on the minutes of this Post, and a copy sent to the State Senate.

(Signed) A. M. GRIBBLE, JR.,
Post Adjutant.

On motion made by Senator Bledsoe, and adopted, the above is printed here.

Executive Messages.

The Chair here laid before the Senate the following several messages from the Governor, received by the Senate on this date:

Governor's Office,

Austin, Texas, July 26, 1921.

To the Thirty-seventh Legislature assembled in First Called Session.

Gentlemen: Deficiency appropriations for the support and maintenance of various departments and institutions of the government authorized pursuant to that provision of the law are as follows:

Prairie View State Normal, account fuel, approved March 31, 1921.	\$10,000.00
State Orphans Home, account fuel, approved April 12, 1921.	6,850.00
Department of State, publishing constitutional amendments, approved April 19, 1921.	3,970.00
Game, Fish and Oyster Commission, account stationery and printing, approved July 14, 1921	900.00
Treasury Department, account books, stationery, etc., approved June 14, 1921.	250.00

Grand total.....\$21,970.00

Governor's Office,
Austin, Texas, July 26, 1921.
To the Texas State Senate.

Gentlemen: I ask the advice, consent and confirmation of the Senate to the following list of appointments as Notaries Public, in and for the counties indicated opposite their names.

Respectfully submitted,
PAT M. NEFF, Governor.

Mayers, Robert L.....Tarrant
Kennedy, T. J. F.....Travis
Avant, D. D.....Jefferson
Dorman, Mrs. L.....Travis
Humphreys, G. H.....Falls
Gibson, E. L.....Falls
Flowers, Mrs. M. H.....Runnels
Howard, E. S.....Dallas
Baldwin, W. H.....Dallas
Landrum, J. D.....Dallas
Withers, Mrs. Alma.....Dallas
Rutledge, Carrol J.....Dallas
Turner, W. E.....Dallas
Fox, Edwin.....Dallas
Holder, Joe F.....Fannin
Pearce, Mrs. May.....Dallas
Burt, Jos. H.....Dallas
McGinty, Chas. F.....Dallas
Evans, M. L.....Smith
Mulkey, R. C.....Hood
Farmer, R. W.....Hunt
Bryant, Tom.....Callahan
Bryant, Mrs. A. E.....Callahan
Rowland, H. F.....Lamar
Broline, Frances.....Lamar
Gayne, Frank J.....Galveston
McFachern, D. M.....Galveston
Miller, Miss Minnie.....Galveston
McGuire, John E.....Galveston
Paishley, A. W.....Stephens
Crawford, J. W.....LaSalle
Gamble, A. M.....Floyd
Lay, L. C.....McLennan
Edgar, Miss Margie.....Potter
Harper, Mrs. Nettie.....Jefferson
Arnold, Ray F.....Wharton
Burleson, Leigh.....San Saba
Cobb, Z. L.....El Paso
Johnson, Miss C.....Jones
Wilson, Artie.....Somervell
Kendrick, R. M.....Terry
Rambo, C. R.....Terry
Cain, C. H.....Lynn
Clark, R. L.....Stephens
Young, Alden S.....Young
Umberson, W. E.....Bexar
Belk, N. F.....Jasper
Rogers, H. L.....Hill
Jenkins, M. D.....Harris
Goddard, Mrs. Elith C.....Harris
O'Donnell, Mrs. Wm.....Harris
Williamson, J. W.....Nacogdoches
Matthasus, H. A.....Wichita

Taylor, Z. M.....Eastland
Neal, Haden.....Eastland
Morrow, H. C., Jr.....Travis
Johnson, V. M.....Anderson
Neil, A. D.....Travis
Neal, Miss Barbara.....Palo Pinto
Wilkins, H. H.....Cottle
Johnson, Jim L.....Freestone
Coleman, Miss Dera.....Nueces
Duncan, A. E.....Nueces
Nix, C. L.....Denton

Governor's Office,
Austin, Texas, July 19, 1921.
To the Texas Senate.

Gentlemen: I ask the advise, consent and confirmation of the Senate to the following recess appointments:

March 14, 1921—Hon. C. O. Hamlin, Breckenridge, Texas, District Judge, Ninetieth Judicial District, vice C. O. Bateman, Breckenridge, resigned.

March 22, 1921—Hon. Claude McCaleb, District Attorney, Ninetieth Judicial District (new).

April 11, 1921—Hon. J. C. Walton, Waco, Texas; W. C. Hogg, Houston, Texas; J. H. W. Williams, Austin, Texas, Members University Acquisition Board (new).

April 16, 1921—Drs. M. F. Bledsoe, Port Arthur, Texas; M. P. Smart, Manor, Texas; D. G. Thompson, Waxahatchie, Texas; T. B. Fisher, Dallas, Texas; M. M. Brown, Mexia, Texas; Mrs. Nettie Klein, Texarkana, Texas; Members State Board of Health.

April 16, 1921—Drs. W. L. Crosthwait, Waco, Texas; S. L. Mayo, Belton, Texas; John T. Moore, Houston, Texas; H. C. Morrow, Austin, Texas; T. J. Crowe, Dallas, Texas; M. E. Daniel, Honey Grove, Texas; O. R. Grogan, Ft. Worth, Texas; J. M. Watkins, Luling, Texas; J. F. Bailey, Waco, Texas; R. R. Norwood, Mineral Wells, Texas; Geo. H. Sandifer, Abilene, Texas; Members of State Board of Medical Examiners.

April 20, 1921—Hon. J. J. Bennett, Stephenville, Texas, and Miss Margie E. Neal, Carthage, Texas; Members of Regents Normal Schools.

April 25, 1921—Hon. W. H. Rand, Sulphur Springs, Texas, Member Board of Prison Commissioners, vice Sam D. W. Low, resigned.

April 26, 1921—Hon. B. F. Quicksall, Woodville, Texas; T. W. Blake, Houston, Texas; J. P. Walker, Beaumont, Texas; Members Compensation Claim Board.

May 2, 1921—Miss Helen T. Holiday, Dallas, Texas; Miss Annie Lord, San Antonio, Texas; Miss Eula Whitehouse, Houston, Texas; and Miss E. D. Green, El Paso, Texas; Members State Board of Nurse Examiners.

May 10, 1921—Hon. E. E. Sanford, Port Arthur, Texas; and C. G. West, Beaumont, Texas; Branch Pilots, Sabine Pass, River and Tributaries.

May 11, 1921—Hon. H. H. Harrington, Dallas, Texas; Frank C. Jones, Houston, Texas; Mrs. H. J. O'Hair, Coleman, Texas; Board of Regents, State University.

May 11, 1921—Hon. J. M. Wagstaff, Abilene, Texas; Chas. E. Marsh, Beaumont, Texas; Mrs. J. C. George, Brownsville, Texas; Board of Directors, A. & M. College.

May 11, 1921—Hon. J. A. Kemp, Wichita Falls, Texas; and Mrs. E. F. Turner, Dallas, Texas; Board of Regents, College of Industrial Arts.

May 12, 1921—Hon. W. H. Cousins, Dallas, Texas; J. W. Collins, Amarillo, Texas; C. A. Eiland, Munday, Texas; Wilford Harrison, Wichita Falls, Texas; Miss Adelaide Richardson, Denison, Texas; Members State Board of Pharmacy.

May 18, 1921—Hon. T. L. Cross, R. Waverly Smith, T. J. Anderson, H. E. Kleinecke, and H. Jobst, Pilot Commissioners for Galveston.

May 18, 1921—Hon. S. W. Hudgins, and H. H. Hadon, of Freeport, Texas, Branch Pilots, Mouth of Brazos River and Bar.

May 26, 1921—Miss Mary Biddle Grigsby, Mt. Vernon, Texas; Member State Board of Nurse Examiners.

June 2, 1921—Hon. J. E. Gilbert, Dallas, Texas; District Judge, Sixty-eighth Judicial District, vice W. F. Whitehurst, Dallas, Texas, resigned.

June 18, 1921—Hon. Oscar Frink, San Antonio, Texas, District Attorney, Fifty-first District, vice J. A. Thomas, resigned.

May 18, 1921—Hon. Wallace L. Reed, Point Isabel, Texas, Branch Pilot, Brazos De Santiago and Harbor and Rio Grande Bar.

June 18, 1921—Drs. R. L. Rogers, Amarillo, Texas; G. P. Robertson, San Antonio, Texas; Miss Dr. Ola Dee Sheffield, Rosebud, Texas; Members State Board of Dental Examiners.

June 23, 1921—Hon. H. R. Wilson,

Wichita Falls, Texas; District Attorney, Thirtieth Judicial District, vice F. S. Jones, resigned.

July 8, 1921—Hon. Isaac R. Hitt, Washington, D. C.; Commissioner of Deeds for the State of Texas in District of Columbia.

July 15, 1921—A. D. Smith, J. W. Simons, A. C. Steinhart, P. J. Stewart, H. L. Babcock, B. F. Pomeroy, W. E. Hyman, H. G. Jones, F. Johnson, Geo. M. Kelley, Louis Locke, W. H. Woolford, Branch Pilots for Port of Galveston.

July 16, 1921—G. N. Holton, Austin, Texas; State Treasurer, vice Hon. J. W. Baker, resigned.

Respectfully submitted,

PAT M. NEFF, Governor.

Executive Session—Time Set For.

Senator Bailey moved that the Senate sit in executive session on Monday, August 1, at 11 o'clock for the purpose of considering the appointments this day received from the Governor.

The motion was adopted.

Message from the House.

Hall of the House of Representatives, Austin, Texas, July 27, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the Speaker announces the appointment of the following as the Investigating Committee as provided in H. C. R. No. 10:

Lackey, Hall, Bonham, Quaid, Cox.

Respectfully submitted,

CARY PHINNEY,

Chief Clerk House of Representatives.

Senate Bill No. 14.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 87, General Acts of the Legislature, providing for organization and government of water improvement and irrigation districts, as amended by subsequent statutes, by adding to said statutes new sections to be known as Sections Nos. 138 and 139, relating to the power of water improvement and irri-

gation districts organized under the conservation amendment to incur debt proceedings of districts heretofore had, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 14 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Burkett.	Page.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Carlock.	Parr.
Dorough.	

The bill was read third time and passed by the following vote:

Yeas—23.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	Murphy.
Buchanan.	Richards.
Burkett.	Rogers.
Cousins.	Suiter.
Darwin.	Watts.
Davidson.	Willis.
Doyle.	Witt.
Dudley.	Wood.
Fairchild.	Woods.
Hall.	

Absent.

Clark.	Page.
Floyd.	Williams.
McMillin.	

Absent—Excused.

Carlock.	Parr.
Dorough.	

Senate Bill No. 19.

Senator Woods moved that S. B.

No. 19 be withdrawn from Committee on Educational Affairs and referred to Committee on Finance.

The motion was lost.

Senator Wood moved to reconsider the vote by which the Senate failed to adopt the motion to re-refer the bill.

The question was raised that Senator Wood voted with the losing side and could not make the motion to reconsider.

The Chair held that there being no record vote on the motion that, under the rules, any member would have the right to make the motion, which overruled the point of order.

Action then recurred on the motion to reconsider, which was adopted by the following vote:

Yeas—16.

Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Richards.
Clark.	Rogers.
Dudley.	Watts.
Hertzberg.	Williams.
Lewis.	Wood.
McMillin.	Woods.

Nays—9.

Burkett.	Fairchild.
Cousins.	Floyd.
Darwin.	Suiter.
Davidson.	Willis.
Doyle.	

Present—Not Voting.

Witt.

Absent.

Bailey.	Hall.
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Absent—Excused.

Carlock.	Parr.
Dorough.	

Action then recurred on the motion to withdraw S. B. 19 from Committee on Educational Affairs and refer it to Committee on Finance and the motion was adopted by the following vote:

Yeas—17.

Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Clark.	Murphy.
Doyle.	Page.
Dudley.	Richards.

Rogers. Wood.
Watts. Woods
Williams.

Nays—8.

Burkett. Fairchild.
Cousins. Floyd.
Darwin. Suiter.
Davidson. Willis.

Present—Not Voting.

Witt.

Absent.

Bailey. Hall.

Absent—Excused.

Carlock. Parr
Dorough.

Senate Bill No. 4.

Action recurred on the consideration of S. B. No. 4, being the Educational Appropriation Bill and pending from proceedings of yesterday.

Consideration of College of Industrial arts budget was read and adopted.

The budget for Sam Houston Normal Institute was read.

Senator Page moved to reconsider the vote by which the budget for the Grubbs Vocational College, was adopted.

The motion to reconsider was adopted by the following vote:

Yeas—23.

Bailey. McMillin.
Baugh. Murphy.
Bledsoe. Page.
Buchanan. Richards.
Cousins. Suiter.
Darwin. Watts.
Davidson. Williams.
Dudley. Willis.
Fairchild. Witt.
Floyd. Wood.
Hall. Woods
Lewis.

Nays—5.

Burkett. Hertzberg.
Clark. Rogers.
Doyle.

Absent—Excused.

Carlock. Parr
Dorough.

Senator Lewis offered the following several amendments, separately, all being adopted:

3. Amend S. B. No. 4, page 89,

lines 14 and 15, by striking out the figures "2,100 for each year" and inserting in lieu thereof "2,250 for each year."

4. Amend S. B. No. 4, page 90, line 15, by striking out the figures "2,100 for each year" and inserting in lieu thereof "2,250."

5. Amend S. B. No. 4, page 90, line 24, by striking out the figures "2,175 for each year" and inserting in lieu thereof "2,340."

6. Amend S. B. No. 4, page 90, line 28 by striking out the figures "2,100 for each year" and inserting in lieu thereof "2,250."

7. Amend S. B. No. 4, page 90, line 31, by striking out the figures "1,875 for each year" and inserting in lieu thereof "1,875."

8. Amend S. B. No. 4, page 90, line 32, by striking out the figures "1,800 for each year" and inserting in lieu thereof "1,600."

9. Amend S. B. No. 4, page 91, line 17, by striking out the figures "1,700 for each year" and inserting in lieu thereof "1,500."

10. Amend S. B. No. 4, page 93, by striking out the figures "2,000 for the first year" and inserting in lieu thereof "1,750."

Senator Lewis offered the following amendment:

Amend S. B. No. 5, page 93, line 12, by striking out the figures "1,500 for each year" and inserting in lieu thereof "1,250."

Senator Dudley offered the following substitute for the amendment:

Strike out in line 12, page 93, "1,500 for each year."

The substitute was adopted and the amendment, as substituted, was adopted.

Senator Lewis offered the following amendment:

Amend S. B. No. 4, page 91, line 20 by striking out the figures "1,000 for each year" and inserting in lieu thereof "900."

On motion of Senator Page the amendment was tabled.

Senator Clark offered the following amendment:

Amend S. B. No. 4, page 91, line 10, by striking out the figures "\$4,000.00" and insert in lieu thereof "\$4,500.00."

The amendment was read and adopted by the following vote:

Yeas—20.

Bailey.	Hertzberg.
Bledsoe.	Lewis.
Burkett.	Murphy.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Watts.
Davidson.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Hall.	Wood.

Nays—7.

Baugh.	McMillin.
Buchanan.	Page.
Doyle.	Woods
Floyd.	

Absent.

Suiter.

Absent—Excused.

Carlock.	Parr
Dorough.	

(Reasons for Voting.)

I vote "aye" for raising the salary of the presidents of the normal schools because the Senate has refused to reduce the salaries of the University professors and of College of Industrial Arts and A. & M. College.

BURKETT.

The budget as amended was adopted.

Southwest Texas State Normal College was read.

Senator Richards offered the following several amendments, separately, all being adopted.

13. Amend S. B. No. 4, page 95, line 5, by striking out \$2,100 in both places and inserting in lieu thereof \$2,175.

14. Amend S. B. No. 4, page 95, line 11, by striking out \$2,100 in both places and inserting in lieu thereof \$2,250.

15. Amend S. B. No. 4, page 95, line 16, by striking out \$2,000 in both places and inserting in lieu thereof \$2,075.

16. Amend S. B. No. 4, page 95, line 17, by striking out \$1,800 in both places and inserting in lieu thereof \$1,875.

17. Amend S. B. No. 4, page 95, line 20, by striking out \$2,100 in both places and inserting in lieu thereof \$2,250.

18. Amend S. B. No. 4, page 96, line 5, by striking out \$2,100 in both places and inserting in lieu thereof \$2,250.

19. Amend S. B. No. 4, page 96, line 20, by striking out \$2,100 in both places and inserting in lieu thereof \$2,250.

20. Amend S. B. No. 4, page 98, line 6, by striking out \$300 in both places and inserting in lieu thereof \$250 in both places.

21. Amend S. B. No. 4, page 98, line 5, by striking out \$1,100 and inserting in lieu thereof \$950.

22. Amend S. B. No. 4, page 98, line 19, by striking out \$900 in both places and inserting in lieu thereof \$700 in both places.

23. Amend S. B. No. 4, page 98, line 23, by striking out \$1,200 and inserting in lieu thereof \$1,050.

24. Amend S. B. No. 4, page 98, line 24, by striking out \$1,500 and \$960 and inserting in lieu thereof \$1,000 and \$460.

Senator McMillin offered the following amendment:

Amend S. B. No. 4, by striking out the words and figures, line 22, page 99.

On motion of Senator Richards the amendment was tabled, by the following vote:

Yeas—14.

Bailey.	Murphy.
Bledsoe.	Page.
Cousins.	Richards.
Dudley.	Rogers.
Fairchild.	Williams.
Hall.	Willis.
Hertzberg.	Wood.

Nays—10.

Buchanan.	Floyd.
Burkett.	Lewis.
Clark.	McMillin.
Darwin.	Watts.
Doyle.	Witt.

Absent.

Baugh.	Woods
Davidson.	Suiter.

Absent—Excused.

Carlock.	Parr
Dorough.	

Senator Clark offered the following amendment, which was read and adopted:

Amend S. B. No. 4, page 97, line 15, by striking out the figures \$4,000.00 and inserting in lieu thereof \$4,500.00.

The budget was then adopted.

Senator Bailey here stated that in view of the fact that Senator Carlock, Senator from the district in which the Grubbs Vocational College is located, was absent, that the Senate should allow the Secretary of Senator Carlock

to make a statement relative to that institution before any action regarding the elimination of the appropriation for that institution be had and made a motion to that effect.

Senator Richards amended the motion of Senator Bailey by adding "or any authorized representative of the College."

The motion, and amendment, was adopted.

Recess.

On motion of Senator Dudley, the Senate, at 12 o'clock noon, recessed until 3 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

(President Pro. Tem. Bailey in the Chair.)

Senate Bill No. 4.

Action recurred on the consideration of Senate Bill No. 4, the question being on North Texas State Normal College.

Senator Clark offered the following amendment, which was read and adopted:

Amend S. B. No. 4, on page 103, line 17, by striking out the figures 4,000.00 and inserting in lieu thereof 4,500.00.

The budget was adopted.

West Texas State Normal College.

(Lieutenant Governor Davidson in the Chair).

Message from the Governor.

The Chair laid before the Senate the following message from the Governor:

Governor's Office,
Austin, Texas, July 27, 1921.
To the Senate and House of Representatives.

Gentlemen: All duplications, each overlapping department, and every useless office in connection with the State government should be abolished. We have too many boards, bureaus and commissions. The State is burdened with governmental agencies. It is top-heavy. We have too much machinery and consequently too much overhead expense. The government should be simplified. There is no excuse for duplication and triplication of work.

If the people are to be given an ef-

fective government, if they are to be relieved from mounting taxes, we, their representatives, can make no better start than to begin by overhauling the administrative agencies of the State, wiping out some, consolidating others, reducing to a minimum the lengthy list of State employees, and demanding of all those who remain on the pay-roll an honest day's work for an honest day's pay.

The principle of concentration and correlation should be applied to our State government as it is applied to the business world. In keeping with the above economic principles, I renew my former recommendation that the work of the Warehouse and Marketing Department be transferred to the Department of Agriculture. The State should not support two departments for the purpose of administering the laws relating to agricultural work when one department could do it more economically and more efficiently. There is no sound reason for the government having duplicating departments. The work of the Warehouse Department should not be abolished but transferred. By the combining of the work of these two departments it can be safely said that at least half of the employees in the Warehouse and Marketing Department could be eliminated and the work carried on efficiently and effectively. The salary of these employees, together with their traveling expenses and upkeep of office will be a saving, conservatively estimated, of fifty thousand dollars a year.

State Tax Board and Tax Commissioners.

I recommend the repeal of those provisions of the law which authorize the creation of a State Tax Board. The duties devolved by this Statute upon the said Board and Tax Commissioner may well be transferred to the State Comptroller and the Railroad Commission. The Railroad Commission should be authorized to ascertain the intangible asset values of the properties subject to intangible assets tax, apportion to the several counties the amount due each, and certify such amount to the State Comptroller, whose duty it would be then to certify to the Tax Assessor of each county the amount of the intangible asset values due each county, just as this office now certifies rolling stock values of railway lines. The Railroad Commission possesses the in-

formation essential to a determination of the value of the various elements entering into the intangible assets of railway properties and should be able to discharge the duties herein specified with but little additional work and with greater expedition than is possible by the Tax Board under the present Statutes. The State Comptroller can, without additional help, ascertain and report to the Legislature biennially the total of State revenues, thus fulfilling the only material service the said Tax Board and Tax Commissioner have been performing. The Tax Board and the office of the Tax Commissioner should be abolished, effective September 1, 1921, and the work pertaining thereto should be, as a matter of economy, handled as above suggested, or by the Board of Control.

The Board for Agricultural Experiment Sub-Stations Should Be Abolished.

On investigation, I am sure the Legislature will find it wise to abolish the Agricultural Experiment Sub-Station Board that has in charge the branch experiment stations of the State. The duties of this Board should be given to the Board of Directors of the Agricultural and Mechanical College. This last named Board has control of the main experiment station located at College Station and appoints the director for the entire agricultural experiment station system, including the sub-stations, but strange as it may seem the sub-station board, which is entirely independent of the Board of Directors of the Agricultural and Mechanical College, appoints the employees of the sub-stations. It goes without argument to say that this is an overlapping of duties and responsibilities, necessarily creating friction and misunderstanding. It is clearly in the interest of economy and efficiency and public policy that the entire administration of the experiment station system be placed under one head, and that one head of course should be the Board of Directors of the Agricultural and Mechanical College.

Mining Board and Inspector.

The duties, functions, and entire work of the Mining Board and the Mine Inspector should be transferred to and operated by the Department of Labor, or to some other established department. This work can all be done

by this department with but little additional expense or energy. There is no excuse for the State to send from the Mining Board a representative to visit a mine to investigate the ventilation and openings, etc., of the mine and then have the Labor Department to send another man the next day to look after the observance of the labor laws, and then on another day have some other department send another representative of the State to see if any women and children are being over-worked. Each representative who goes will probably cost the State a hundred dollars. One of these representatives could and should do the work of the three. This statement in regard to the investigation of a mine is a correct statement of how the business of the State in many respects is duplicated. The Labor Department has representatives to investigate the mines of the State, and there is no reason why the work of the mine inspector cannot be carried on through these representatives just as thoroughly as it is now done, and to a great saving of the tax money. I commend this consolidation for your favorable consideration.

There are various other departments of the government that should have applied to them the principle of elimination and consolidation, but I have not had time to think them through sufficiently thoroughly to at this time make specific recommendations to you. I submit them all to you for study and legislation.

Too Many Employees on Public Pay Roll.

It is my judgment that we have too many clerks, stenographers, and employees generally on the pay roll of the State. If I owned Texas and were running the government for my private benefit, the first thing I would do would be to weed out every employee except just enough to do the work of the State by working eight full hours a day. This principle of economy should be put to the practical test in every department. The various official records of the respective departments will show the number of employees and the amount of work done. I call them to your attention for study and investigation.

An Army of Expensive Traveling Representatives.

The last Legislature appropriated ap-

proximately one million dollars to be used, not in paying the salaries, but the traveling expenses of the representatives of the State government. This statement tells a story of its own. Perhaps the most reckless waste today of the people's money goes to the superfluous perambulating agents of the State. The government seems to have been put on wheels. It is acting as guardian for too many private enterprises. This is not only paternalistic, but maternalistic.

If wrongs are being perpetrated let the law prescribe penalties and let the courts enforce the laws, and then it will not be necessary to have some traveling representative of the State to daily investigate either public or private affairs. After this long list of travelers has been properly reduced, require those who remain to travel as economically as those live who pay the bills. A man who spends his own money should spend it as he sees fit, but those who are entrusted with public funds should not send in traveling expense accounts, as some have done, around three hundred dollars a month. A person who travels that fast is going too fast to do much work. He should decrease his motion and increase his service. The Legislature should enact laws to eliminate all needless offices and laws that will not permit one dollar to go out of the public treasury that does not have for its purpose the bringing back of one dollar's worth of service rendered. Money paid out to unnecessary employees of the State has increased public expenditures and therefore increased taxes. The people who pay these expenses are chafing under the burdens. Therefore, I call these matters to your attention in order that you may make whatever investigation you see fit and pass whatever laws to you seem wise, looking to the correction of these governmental wrongs. "We should not condemn the wrong, and still the wrong pursue."

All Appropriations Should Be Specific.

The State Constitution says: "No money shall be drawn from the treasury but in pursuance of specific appropriation made by law." In view of this Constitutional provision, I am taking the liberty of asking that all appropriations be itemized, as far as possible, so that the sum appropriated will show

the specific purpose for which the money is to be spent. To combine two or more purposes in one item, as is frequently done, not only contravenes the Constitution, but also practically takes away from the Governor his veto authority, for the reason that if in his opinion one of the items be necessary and the other unnecessary, he would have to approve all the item, having no authority to approve a part of an item and disapprove the other part.

The Eyes of Texas Are On Us.

The eyes of five million people are looking to this Legislature to raise high the banner of economy and simplicity in the administration of their government. Graft and extravagance from the highest to the lowest amount is a problem that should be squarely faced and honestly solved. It should be remembered that little leaks break the dam. If we detect a little graft let us not belittle it, but expose it, in order that all may know it and all may shun it. Let us join hands and give to the people of Texas a government of such economy and simplicity and observance of law that will make all good men love the State and all bad men respect it. Unless we render this needed service the day will come when an awakened people with an aroused conscious will themselves lay the axe at the root of the tree of evil.

Most sincerely,
PAT M. NEFF, Governor.

Bills and Resolutions.

By Senator Page:

S. B. No. 21, A bill to be entitled "An Act to amend Chapter 145, General Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, which chapter was 'An Act to amend Chapter 1, of Title 44, of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State Depositories, and the manner and means of selecting and for the qualification of such State depositories, providing for the distribution of such State funds among such depositories, repealing all laws in conflict, and declaring an emergency'; the effect of

this amendment being to add to said chapter a new article to be known as Article 2435b, providing in substance that during the existence of any general financial or industrial depression prior to March 1, 1923, if it should be found by the State Depository Board that any State depository is not able to pay the drafts or demands made upon it by the State Treasurer in the ordinary operation of the State Depository Law without closing its doors and ceasing to exist as a going concern, though otherwise solvent, then the State Depository Board shall have the discretion and authority to extend the time for payment of the funds on deposit in such State depository into the Treasury from time to time; provided, however, that such extension shall not be made unless and until such depository and the sureties, if any, on its depository bond, execute a contract of extension or give bond or securities as in the first instance for such period of time as the State Depository Board may designate; the State depositories to which extension of time are granted under this Act shall not receive any additional funds on deposit from the State Treasury until the demands of the State Treasurer as to previous existing funds have been met; and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

Senate Bill No. 4.

Action recurred on S. B. No. 4, the question being on the West Texas State Normal College.

Here Senator Dudley asked unanimous consent to strike from the bill line 23, page 105, printed bill, the item being that for pay of insurance in the budget of the North Texas State Normal.

(Senator Suiter in the Chair.)

Senator Clark offered the following amendment, which was read and adopted:

Amend S. B. No. 4, on page 108, line 14, by striking out the figures "4,000.00" and inserting in lieu thereof the figures "4,500.00."

The budget was adopted.

East Texas State Normal College.

Senator Rogers offered the following several amendments, separately, all of which were read and adopted:

29. Amend S. B. No. 4, page 112, line 15, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Biology..\$2,250.00 each year."

30. Amend S. B. No. 4, page 112, line 26, by striking out the entire line and inserting in lieu thereof the following:

"Professor of English..\$2,250.00 each year."

31. Amend S. B. No. 4, page 112, line 31, by striking out the entire line.

32. Amend S. B. No. 4, page 113, line 3, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Language and History—\$2,250.00 each year."

33. Amend S. B. No. 4, page 113, line 6, by striking out the entire line and inserting in lieu thereof the following:

"Assistant Professor of History..\$1,380.00 each year."

34. Amend S. B. No. 4, page 113, line 11, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Manual Training..\$2,250.00 each year."

35. Amend S. B. No. 4, page 113, line 13, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Mathematics.....\$2,250.00 each year."

36. Amend S. B. No. 4, page 113, line 14, by striking out the entire line and inserting in lieu thereof the following:

"Professor and Dean of Faculty..\$2,700.00 each year."

37. Amend S. B. No. 4, page 113, line 20, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Physics..\$2,250.00 each year."

38. Amend S. B. No. 4, page 113, line 26, by striking out the entire line and inserting in lieu thereof the following:

"Professor and Director Training School..\$2,475.00 each year."

39. Amend S. B. No. 4, page 113, line 29, by striking out the entire line and inserting in lieu thereof the following:

"Four additional teachers in training school..\$6,187.50 each year."

40. Amend S. B. No. 4, page 114, line 20, by striking out the entire line and inserting in lieu thereof the following:

"Assistant Registrar and Bookkeeper..\$1,200.00 each year."

41. Amend S. B. No. 4, page 113, line 7, by striking out the entire line and inserting in lieu thereof the following:

"Professor of Home Economics.. \$2,250.00 each year."

42. Amend S. B. No. 4, page 115, line 4, by striking out the entire line and inserting in lieu thereof the following:

"Chemistry..\$1,350.00 first year, \$850 second year."

Senator Clark offered the following amendment, which was read and adopted:

Amend S. B. No. 4, page 114, line 17, by striking out "\$4,000.00" and insert "\$4,500.00."

The budget was then adopted.

Sul Ross Normal College.

Senator Clark offered the following amendment, which was read and adopted:

Amend S. B. No. 4, page 118, line 11, by striking out "\$4,000.00" and insert "\$4,500.00."

The budget was then adopted.

Stephen F. Austin Normal College, Nacogdoches, Texas.

Senator McMillin offered the following amendment:

Amend S. B. No. 4, by striking out the entire appropriation for the establishment of the Stephen F. Austin Normal College at this time as shown on pages 122-124 and 125 of the printed bill.

Action recurred on the amendment, and

Senator Burkett moved to table the amendment, which motion to table was adopted, by the following vote:

Yeas—19.

Bailey.
Bledsoe.

Buchanan.
Burkett.

Clark.
Cousins.
Darwin.
Davidson.
Dudley.
Fairchild.
Floyd.
Hertzberg.

Murphy.
Rogers.
Suiter.
Watts.
Williams.
Willis.
Witt.

Nays—5.

Baugh.
Doyle.
Lewis.

McMillin.
Page.

Present—Not Voting.

Woods

Absent—Excused.

Carlock.

Parr

(Pairs Recorded.)

Senator Richards (present), who would vote "nay"; with Senator Hall (absent), who would vote "yea."

Senator Wood (present), who would vote "nay"; with Senator Dorrough (absent), who would vote "yea."

Senator Richards offered the following amendment, which was read and adopted:

Amend S. B. No. 4, page 123, line 23, by striking out "\$4,000.00" and insert in lieu thereof "\$4,500.00."

The budget was then adopted.

Budget for the Texas School for the Deaf was read and adopted.

Budget for Texas School for the Blind was read, and

Senator McMillin offered the following two amendments, separately, which were read and adopted:

Amend S. B. No. 4, page 132, line 22, by striking out "2,520 for each year."

Amend S. B. No. 4, page 134, line 29, by striking out entire line and inserting "Two yard men (12 mos.) 960.00 each year."

The budget was then adopted.

Senator Page here moved that the budget of the Grubbs Vocational School be adopted, which motion was adopted.

Action recurred on the engrossment of the bill, and,

Senator Woods offered the following amendment, which was read and adopted:

Strike out the following words where they occur at places indicated below, in said bill "Except under the provisions provided for in Article 4342, Chapter 2, Title 65 of the Revised Civil Statutes of 1911."

Lines 26, 27, 28, page 22.

Lines 7 and 8, page 37.

Lines 11, 12, 13, page 56.

Lines 26, 27, 28, page 65.

Lines 5 and 6, page 71.

Lines 29, 30, 31, page 79.

Lines 17, 18, 19, page 88.

Lines 5 and 6, page 94.

Lines 2 and 3, page 100.

Lines 2 and 3, page 106.

Lines 28 and 29, page 111.

Lines 4 and 5, page 117.

Lines 16 and 17, page 121.

Lines 3 and 4, page 125.

Lines 21 and 22, page 131.

Lines 25 and 26, page 136.

The bill was then passed to engrossment.

Relating to Murder of Penitentiary Prisoners.

Houston, Texas, July 26, 1921.

Hon. Harry Hertzberg, Texas State Senate, Austin, Texas.

Dear Sir: Two convicts were shot down in cold blood on Eastham Farm, Friday, July 22, according to information in my possession. I have the names of eye-witnesses to these killings and will supply said names when official guarantee of protection is vouchsafed for the witnesses.

The two men killed were George W. Ludwig and Jack Baldwin. They were members of Squad No. 1, and were on their way back to work, after the noonday meal. Both were riding old plow mules and Guard John Wells shot them off the mules with a pistol. The men fell on the turnrow. Wells dismounted, went around to the men and shot them several times more as they lay on the ground, begging for their lives. The killings took place inside the field. Both victims were young men, mere boys.

Guard Wells alleged that the men made an effort to escape. This charge is ridiculous, as both boys were on old work mules that could hardly be goaded into a trot. The fact that they were shot off the mules with a pistol and shot several

times more as they lay on the turnrow is positive evidence that no attempt was being made by them to escape.

Wells is alleged to have said at the time of the killing that he had orders to kill; that the Governor of Texas had given full authority to kill any man who is believed to be making an effort to escape.

Ludwig and Baldwin were buried in the prison grave yard, Saturday, July 23. A "funeral sermon" was preached by a prison chaplain named Miller. All the other convicts were ordered to attend the funeral in order that they might hear the solemn warning by the chaplain. This chaplain stated in his "sermon" that orders were on file to kill any man who attempted to escape, and that such orders would be carried out to the letter.

Eye-witnesses to the killing declare that Ludwig and Baldwin made no attempt to escape, but were shot down in cold blood.

If these men were making an effort to escape, how did it happen that both of them were killed practically at the same time by the same man with a six shooter? Why is it that both men were riddled with bullets after they lay wounded on the ground begging for their lives?

I am informed that the county attorney of Houston County came to the scene of the killing and notified Wells that as a matter of form he would be charged with the killing of these men, but that he need not fear the outcome of his trial.

I have no personal interest in these cases. I have no more interest in them than the Governor of this State should have, or that any member of the Prison Commission should have. But it is a sad commentary on our State Government that such things continue to happen despite the best efforts of Senators and Representatives to stop them. It is a serious problem and one that will never be solved until a complete change in prison management and control is wrought in this State.

An outraged citizenship will eventually rise up and demand that the name and fame of Texas shall not be forever trailed in the mire of disgrace, and those members of the

Legislature who take a firm and determined stand to stop these atrocities now will go down in history as benefactors of their State.

Very truly yours,

GEO. W. DIXON.

The above was read to the Senate, and, on motion of Senator Hertzberg, ordered printed in this Journal.

Senate Concurrent Resolution No. 4.

By Senator Hertzberg:

Whereas, a communication addressed to the members of the Senate of Texas has been read before the Senate, stating that George W. Ludwig and Jack Baldwin, two convicts, were shot down and killed by guards on the Eastham Farm on Friday, July 22; and,

Whereas, the alleged manner of their death was most inhumane and without justification; and

Whereas, said matter should be investigated immediately; and

Whereas, the Penitentiary Investigating Committee, appointed at the Regular Session of the Thirty-seventh Legislature, has about completed its report, investigating alleged cruelties and mismanagement of the Penitentiary System of Texas; therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, that said Penitentiary Investigating Committee be requested to immediately make a special investigation of the facts regarding the killing of said convicts, and report back to this session of the Legislature in special report; that said committee conduct said investigation with all the powers vested in them by the original resolution creating said Investigating Committee.

The resolution was read and adopted.

House Bill No. 10.

The Chair laid before the Senate, on second reading,

S. B. No. 3, being the Judiciary appropriation, and

Senator Dudley moved that House Bill No. 10, being a bill on the same subject and identical with the House bill, be considered in lieu of the Senate bill, which motion was adopted.

The Chair laid before the Senate, on second reading,

H. B. No. 10, A bill to be entitled "An Act making appropriations to pay salaries of judges and the support of the Judicial Department of the State government for the two years beginning September 1, 1921, and ending August 31, 1923, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to a third reading.

Adjournment.

On motion of Senator Clark the Senate, at 5:25 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX. .

Petitions and Memorials.

Senator Floyd offered and had read a petition numerously signed by club women of Cooper, Texas, urging support of a Minimum Wage Bill, establishing an adequate wage for women and minors in industry.

Senator Rogers offered and had read a resolution adopted at a mass meeting of citizens of Commerce, urging support of Governor Neff's proposed legislation for removal of officers who fail to discharge their duty, for the amendment of the Dean Law and repeal or modification of the Suspended Sentence Law. Also insisting upon thorough investigation of graft charges.

Senator Witt offered and had read resolutions adopted at Sunday morning service, Methodist Church, McGregor, endorsing Governor Neff's legislative program.

Senator Cousins offered and had read a communication from Dallas urging opposition to repeal of Suspended Sentence Law.

Committee Reports.

Committee Room,

Austin, Texas, July 27, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 18, A bill to be entitled "An Act to provide a systematic meth-

od of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State. Providing for a budget system for the road and bridge fund of the counties, and providing for its proper safe guard and expenditure. Providing for the office of County Road Superintendent, and defining his duties and powers, empowering him to work county convicts upon the public roads. Authorizing and directing the Commissioners Court to provide for needs and equipments of the Road Superintendent and Patrolmen so employed. Prescribing the duties and liabilities of all persons subject to road duty, and fixing penalties for the violation or neglect of such duties so imposed. Repealing all laws in conflict herewith and declaring an emergency."

We have had same under consideration and report it back with the recommendation that it do pass.

McMillin, Chairman; Davidson; Floyd; Williams; Witt.

Senate Chamber,
Austin, Texas, July 27, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred H. B. No 10,

Beg leave to report that we have examined the same and recommend that it do pass and be not printed, being the same as the Senate Bill on the same subject.

DUDLEY, Chairman.

Senate Chamber,
Austin, Texas, July 27, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 14 carefully compared and find same to be correctly engrossed.

FLOYD, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, July 28, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Burkett.	Page.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Carlock. Parr.
Dorough.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Bailey.

Excused.

On account of important business: Senator Dorough until Monday, on motion of Senator Bailey.

Mayor of Dallas Addresses Senate.

By the adoption of a resolution, Mayor Aldredge of Dallas was introduced to the Senate for a brief address.

Bills and Resolutions.

By Senator Page:

S. B. No. 22, A bill to be entitled "An Act conferring upon the Insurance Companies organized under the laws of this State, in addition to the powers heretofore conferred upon such companies, the power to act as executor under the last will, or as administrator of the estate of any deceased person under appointment of any court of record having jurisdiction of the estate of such deceased person, and declaring an emergency."

Read first time and referred to Committee on Banking and Insurance.

By Senator Baugh:

S. B. No. 23, A bill to be entitled "An Act abolishing the Board consisting of the Lieutenant Governor and three members whom the Governor is authorized to appoint, and which Board is authorized and empowered to govern, manage and con-